

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MARLANA VOSS,	:	Civil No. 1:20-CV-00754
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
MANITOWOC CRANES, LLC,	:	
	:	
Defendant.	:	Judge Jennifer P. Wilson

**ORDER**

**AND NOW**, on this 29th day of March, 2021, for the reasons stated in the accompanying memorandum, **IT IS ORDERED AS FOLLOWS:**

1. Defendant's motion to dismiss (Doc. 6) is **GRANTED IN PART AND DENIED IN PART.**
2. Plaintiff's disability discrimination claims under the Americans with Disabilities Act ("ADA") and the Pennsylvania Human Relations Act ("PHRA") are **DISMISSED WITH PREJUDICE.**
3. Plaintiff's disparate treatment claims under Title VII of the Civil Rights Act and under the PHRA are **DISMISSED WITH PREJUDICE** except to the extent that they are based on Plaintiff's termination.
4. Plaintiff's hostile work environment claims under Title VII and the PHRA are **DISMISSED WITH PREJUDICE.**

5. Plaintiff's claims under the Family and Medical Leave Act ("FMLA") are **DISMISSED WITHOUT PREJUDICE.**
6. The motion to dismiss is denied with respect to Plaintiff's disparate treatment claim arising from her termination and with respect to Plaintiff's retaliation claim.
7. Plaintiff is granted leave of the court to file an amended complaint on or before April 19, 2021 in accordance with this order and the accompanying memorandum.
8. If Plaintiff fails to file an amended complaint by the above deadline, Defendant shall answer Plaintiff's complaint in accordance with the Federal Rules of Civil Procedure.

s/Jennifer P. Wilson  
JENNIFER P. WILSON  
United States District Court Judge  
Middle District of Pennsylvania